

811 KAR 2:300. International medication protocol as a condition of a race.

RELATES TO: KRS 230.210, 230.215, 230.240, 230.260, 230.290, 230.320

STATUTORY AUTHORITY: KRS 230.215, 230.240, 230.260, 230.290, 230.320

NECESSITY, FUNCTION, AND CONFORMITY: KRS 230.215(2) authorizes the Kentucky Horse Racing Commission to promulgate administrative regulations prescribing conditions under which all legitimate horse racing and wagering thereon is conducted in Kentucky. KRS 230.240(2) requires the commission to promulgate administrative regulations restricting or prohibiting the administration of drugs or stimulants or other improper acts to horses prior to the horse participating in a race. This administrative regulation authorizes licensed racing associations to require adherence to International Medication Protocol, as defined, as a condition of entry in a particular race.

Section 1. Definition. "International Medication Protocol" means a condition of a race that all horses nominated or entered to compete in the race shall not be administered furosemide less than twenty-four (24) hours prior to post time for the race.

Section 2. Notwithstanding any other provision of 811 KAR Chapter 2 to the contrary, an association may require adherence to the International Medication Protocol as a condition of a particular race. The association shall publish the requirement in its condition book or otherwise make the requirement known to all licensees participating in its race meeting. The horses entered to compete in an International Medication Protocol race shall not be eligible to receive furosemide less than twenty-four (24) hours prior to post time for the race. All matters related to sample collection, ownership, storage, shipment, chain of custody, testing, and reporting and other applicable provisions shall be done in accordance with 811 KAR 2:096, 811 KAR 2:100, and 811 KAR 2:170.

Section 3. Penalties. If the commission laboratory determines the presence of furosemide at a concentration of greater than 1,000 picograms/ml in a serum sample, derived post-race from a horse that is not eligible to receive furosemide pursuant to this administrative regulation, it shall be prima facie evidence that furosemide was administered to the horse in violation of this administrative regulation. Violations of this administration regulation shall be subject to the penalties provided for Class C drug violations in 811 KAR 2:100, Section 4(3).

Section 4. To the extent of any conflict between a provision in this administrative regulation and a provision in any other administrative regulation contained in 811 KAR Chapter 2, the provisions in this administrative regulation shall supersede.

Section 5. This administrative regulation was found deficient by the Administrative Regulation Review Subcommittee on September 8, 2015. (41 Ky.R. 2702; Am. 42 Ky.R. 1193; eff. 11-5-2015.)